

The Appeal Brief filed 29 April 2011 has been received and entered.

#### **EXAMINER'S COMMENT**

Upon further review, including with respect to the arguments presented within the 4/29/2011 Appeal Brief, the pending claims have been found allowable - as amended within the Examiner's Amendment set forth below.

#### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with XuFan Tseng on July 11, 2011.

#### **In the Claims:**

Claim 3 has been amended to read as follows:

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3. A mixture for enhancing or imparting an aroma and/or taste to a consumable material or to an oral cavity consisting essentially of:

N-isobutyl-E2, E4-decadienamide,  
N-isobutyl-E2, E4-undecadienamide,  
N-pyrrolidyl-E2, E4-decadienamide, and  
N-piperidyl-E2, E4-decadienamide.

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Claim 40 has been amended to read as follows:

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40. A composition for enhancing or imparting an aroma and/or taste to a consumable material or to an oral cavity consisting essentially of:

N-isobutyl-E2, E4-decadienamide,  
N-isobutyl-E2, E4-undecadienamide,  
N-pyrrolidyl-E2, E4-decadienamide,  
N-piperidyl-E2, E4-decadienamide, and

a sensate selected from the group consisting of a cooling sensate, a warming sensate, and a tingling sensate.

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In Claim 41, at line 1, the phrase "composition comprises the" has been omitted and replaced with the phrase --sensate is a--.

### ***Conclusion***

Claims 3, 4, 40, and 41 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CATHERYNE CHEN whose telephone number is (571)272-9947. The examiner can normally be reached on Monday to Friday, 9-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey can be reached on 571-272-0775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner Art Unit 1655

/Christopher R Tate/  
Primary Examiner, Art Unit 1655